

**MINUTES**  
**BOARD OF ADJUSTMENT**  
**PUBLIC HEARING**  
**August 11, 2016**

The Lake County Board of Adjustment met on August 11, 2016 in the Commission Chambers on the second floor of the County Administration Building in Tavares, Florida to consider requests for variances and any other petitions that may be submitted in accordance with Chapter XIV of the Lake County Land Development Regulations.

**Board Members Present:**

Donald Schreiner, Chairman  
Craig Covington, Vice-Chairman  
Marie Wuenschel  
Catherine Hanson  
Mason Gathye  
Lloyd M. Atkins, Jr.

**Board Members Absent:**

Phyllis Luck

**Staff Present:**

Tim McClendon, Interim Planning Manager, Planning & Zoning Division  
Luis Guzman, Assistant County Attorney  
Michele Janiszewski, Planner, Planning & Zoning Division  
Christine Rice, Planner, Planning & Zoning Division  
Donna Bohrer, Public Hearing Associate, Planning & Zoning Division

Chairman Schreiner called the meeting to order at 1:00 p.m., and noted a quorum was present. He confirmed Proof of Publication for the case as shown on the screen. He added that if a variance is approved, the owner/applicant should give staff at least 24 hours before proceeding to the zoning counter to finalize their paperwork.

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### Opening Remarks

Tim McClendon, Chief Planner, Planning and Zoning Division said additional conditions were being proposed to the development order for Tab 1, Baywood Village LLC. He said staff has also received public comment on Tab 3, James and Pamela Mizak.

### Minutes

**MOTION by Craig Covington, SECONDED by Catherine Hanson to APPROVE the July 14, 2016 Board of Adjustment minutes, as submitted.**

**FOR: Schreiner, Covington, Wuenschel, Atkins, Hanson, Gathye**

**ABSENT: Luck**

**AGAINST: None**

**MOTION CARRIED: 6-0**

There was no response when Chairman Schreiner asked for any public comment.

### Public Comment

There were no public comments on any agenda item.

### Consent Agenda

**MOTION by Craig Covington, SECONDED by Catherine Hanson to APPROVE Tab 1, Baywood Village LLC, Tab 4 John H and Grace D Weber and Tab 5 Michael R and Julia Grimes with conditions as set forth in the development orders.**

**FOR: Schreiner, Covington, Wuenschel, Atkins, Hanson, Gathye**

**ABSENT: Luck**

**AGAINST: None**

**MOTION CARRIED: 6-0**

**VAR-16-20-4**

**Tab 1**

**Baywood Village LLC**

Michele Janiszewski, Planner, Planning and Zoning Division presented the staff report for the Baywood Variance. She said Baywood had been platted in 2008 and there have been multiple extensions of the developers agreement regarding the landscaping bond. The variance request is to delay installing landscaping until homes are constructed. The applicant said maintaining landscaping on vacant properties would be a waste of resources. Ms. Janiszewski said staff was recommending approval. She said three additional conditions had been added since the meeting materials were provided to the board. Those conditions are that Lake County shall be provided with an annual proof of renewal; documentation shall include a registered engineering estimate or contract bid prices of the cost of the required landscaping and failure to renew the bond annually will make the variance null and void.

Luis Guzman, Assistant County Attorney, explained that it was necessary to ensure that bond

renewals were consistent with any cost increases of installing the landscaping. The cost of installing the landscaping could increase over time and the bond should be sufficient to cover the cost of making the landscape improvements should that be necessary.

**MOTION by Catherine Hanson, SECONDED by Craig Covington to APPROVE Tab 1, Baywood Village LLC with conditions as set forth in the development order.**

**FOR: Schreiner, Covington, Wuenschel, Atkins, Hanson, Gathye**

**ABSENT: Luck**

**AGAINST: None**

**MOTION CARRIED: 6-0**

**REGULAR AGENDA**

**VAR-16-26-3**

**Tab 3**

**James and Pamela Mizak**

Christine Rice, Planner, Planning & Zoning Division presented the variance request. She said the property is zoned Agricultural, with a Rural future land use. The variance request is for an accessory structure with 1,600 square feet in lieu of 1,200 square feet to better accommodate two adults and a new born child. Staff is recommending approval.

Catherine Hanson said she had received a call on the variance related to road maintenance costs. Ms. Rice said she had provided a copy of the staff report to that person and that he was present.

**PUBLIC COMMENT**

Michael Takac said his only concern was related to road maintenance. He said 5 lots were dependent on the private road and he asked if it could be conditioned that any units exceeding the allowed 1200 square feet added to these lots could be required to pro-rated contribution to road maintenance.

Don Schreiner, Chairman explained that the board could only address the variances brought before it. In response to Mr. Schreiner's question, Mr. Guzman said issues related to the private road would be a civil issue.

**MOTION by Craig Covington, SECONDED by Lloyd Atkins to approve Tab 3, James and Pamela Mizak with conditions as set forth in the development order.**

**FOR: Schreiner, Covington, Wuenschel, Atkins, Hanson, Gathye**

**ABSENT: Luck**

**AGAINST: None**

**MOTION CARRIED: 6-0**

Adjournment

There being no further business, the meeting was adjourned at 1:25 p.m.

Respectfully submitted,



Donna Bohrer  
Public Hearing Associate



Donald Schreiner  
Chairman



# Orlando Sentinel

Published Daily  
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## STATE OF FLORIDA

## COUNTY OF LAKE

Before the undersigned authority personally appeared

Brandon DeLoach / Maria Torres / Ingrid Quiles, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, **Thursday, August 11, 2016 at 1:00 p.m.** was published in said newspaper in the issues of Aug 01, 2016.

Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Beth Bell  
Signature of Affiant

Brandon DeLoach  
Printed Name of Affiant

Sworn to and subscribed before me on this 1 day of August, 2016,  
by above Affiant, who is personally known to me ( X ) or who has produced  
identification ( ).

Cheryl Alli  
Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

**LEGAL NOTICE  
NOTICE OF QUASI-JUDICIAL**  
The Lake County Board of Adjustment will hold a public hearing at 1:00 p.m., on Thursday, August 11, 2016 in the County Commission Chambers, Second Floor, County Administration Building, 315 West Main Street, Tavares, Florida, to consider variance requests and any other petitions which may be submitted in accordance with Section 14.15.00 of the Lake County Land Development Regulations, as amended.

All interested citizens are welcome to attend. Please call our office (352-343-9641) three days prior to the meeting to ensure the case has not been postponed. Persons with disabilities needing assistance to participate in any of these proceedings should contact (352) 343-9760, 48 hours in advance of the scheduled meeting.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the Board they will need a record of the proceedings and they may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based. All oral and written communications between Board members and the public concerning a case are prohibited by the Florida Law unless made at the public hearing on the case.

CASE NO.: VAR-16-20-4  
OWNER/APPLICANT: Baywood Village LLC  
REQUESTED ACTION: Variance from Land Development Regulation (LDR) Section 14.08.00.B.2. to allow for an additional 4 year extension from the expiration date (April 30, 2017) of the Developer's Agreement for Construction of Improvements for the Baywood Forest Final Plat, with conditions as set forth in the attached Final Development Order.  
GENERAL LOCATION: Mount Dora area, Southwest of CR 19 and west of Bay Road

AND  
CASE NO.: VAR-16-22-2  
OWNER/APPLICANT: Headquarter Auto Clermont LTD, Headquarter Mazda Signage  
REQUESTED ACTION: Variance from Lake County Land Development Regulations Section 11.02.03.1.A.5.b, to allow a ground sign on a single occupancy commercial site fronting a four lane divided highway to be seventeen (17) feet tall in lieu of the twelve (12) foot maximum.  
GENERAL LOCATION: Clermont area, 17550 SR 50

AND  
CASE NO.: VAR-16-26-3  
OWNER/APPLICANT: James and Pamela Mizak  
REQUESTED ACTION: Variance from Lake County Land Development Regulations Section 10.01.03(B)(4) in order to have an accessory dwelling unit with 1,600 square feet of living area in lieu of 1,200 square feet of living area.  
GENERAL LOCATION: Howey in the Hills area, end of Turkey Acres Lane and west of Turkey Lake Road

AND  
CASE NO.: VAR-16-27-3  
OWNER/APPLICANT: John H and Grace D Weber  
REQUESTED ACTION: Variance from Lake County Land Development Regulations Section 10.01.00 (F) to allow a detached carport to be located 36 feet from the centerline of the road in lieu of 100 feet from the right-of-way.  
GENERAL LOCATION: Leesburg area, 12028 Grace Lane

AND  
CASE NO.: VAR-16-31-3  
OWNER/APPLICANT: Michael R Grimes & Julia Grimes  
REQUESTED ACTION: Variance from Lake County Land Development Regulations Section 6.01.04(1) to allow an outdoor kitchen be constructed 29 feet from the ordinary high water line, mean high water line, or jurisdictional wetland line in lieu of 50 feet.  
GENERAL LOCATION: Leesburg area, 30549 Orange Count

LAKE COUNTY DEPARTMENT OF  
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